

TITLE 7 - AGRICULTURE

CHAPTER XVIII - FARMERS HOME ADMINISTRATION
DEPARTMENT OF AGRICULTURE

SUBCHAPTER S - PERSONNEL

PART 2063 - EMPLOYEE RELATIONS AND SERVICES

SUBPART J - POLICY ON EMPLOYEE'S RIGHTS TO REPRESENTATION
IN DEALINGS WITH MANAGEMENT

<u>Sec.</u>	<u>Page</u>
2063.451 General.	1
2063.452 Employee's rights to meet with officials higher than their supervisors.	1
2063.453 Definitions. (Reserved)	1
2063.454 Employee's right to a personal representative.	1
(a) Employee starts action to stop work problems.	1
(b) Management starts a discussion on misconduct or poor performance.	1
(c) Employee questioned as a witness.	2
2063.455 Rights of exclusively recognized employee organization.	2
2063.456 Employee's refusal to cooperate.	2
2063.457 - 2063.500 (Reserved)	2

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PART 2063 - EMPLOYEE RELATIONS AND SERVICES

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§2063.451 General.

Employees and supervisors can discuss grievances, disciplinary actions, or job problems. Employees can also have legal counsel or personal representative present when meeting with officials higher than their supervisors. This Subpart gives policy for such cases.

§2063.452 Employee's rights to meet with officials higher than their supervisors.

Employees can meet with officials higher than their supervisors, or with an employee organization or legal counsel. For contact with Personnel Officers or Equal Employment Opportunity Officers or Counselors, see AG Chapter 713 of Employee Handbook, or Exhibit A, "Employee Responsibilities and Conduct," attached to Subpart BB of Part 2045 of this chapter.

§2063.453 Definitions. (Reserved)

§2063.454 Employee's right to a personal representative.

Employees may have a personal representative in any of the following situations. The personal representative in any of the situations may be from a recognized employee organization.

(a) Employee starts action to stop work problems.

(1) The employee may choose a representative to assist in discussions with immediate supervisors or management officials.

(2) An employee's written note to the agency head is subject to regulations (see AG Chapters 713 and 771, Employee Handbook) which permit the employee to have a representative to assist him.

(b) Management starts a discussion on misconduct or poor performance.
An employee must answer questions about official business, and must make official records available.

(1) If the problem can result in disciplinary action the employee has a right to a personal representative.

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RD Instruction 2063-J

§2063.454 (b) (Con.)

(2) If the problem can result in criminal prosecution, the employee can use the Fifth Amendment.

(c) Employee questioned as a witness. Employee must help, see paragraph (b) of this section. Employee can ask for a personal representative.

§2063.455 Rights of exclusively recognized employee organization.

The rights of any organization granted exclusive recognition under Executive Order 11491, as amended, or by any agreement between it and management, must be complied with.

§2063.456 Employee's refusal to cooperate.

If an employee does not give information or will not answer questions, disciplinary action can result.

§2063.457 - 2063.500 (Reserved)

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